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Forty-eighth session
Item 13 of the provisional agenda

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS

Status of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

Report of the Secretary-General

1. The General Assembly, in its resolution 45/158 of 18 December 1990, adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, called upon all Member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expressed the hope that it would enter into force at an early date. The Convention was opened for signature on 15 March 1991, in accordance with article 86 thereof.

2. In its resolution 1991/60 of 6 March 1991, the Commission on Human Rights welcomed the adoption of the Convention; urged all States to consider signing and ratifying or acceding to it as a matter of priority, and expressed the hope that it would enter into force at an early date; encouraged the Secretary-General to assume an active role in disseminating information on, and promoting, the Convention; and requested the Secretary-General to report on the status of the Convention to the Commission at its forty-eighth session.

GE.92-10103/8298a

3. As at 10 December 1991, the Convention had been signed by two States, Mexico and Morocco. No instruments of ratification or accession to the Convention had been deposited with the Secretary-General by that date.

4. In its resolution 46/114 of 17 December 1991, the General Assembly requested the Secretary-General to report on the status of the Convention to the General Assembly at its forty-seventh session.

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COMMISSION ON HUMAN RIGHTS
Forty-eighth session
Item 14 of the provisional agenda

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION

Report of the Secretary-General

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Introduction

1. The General Assembly, in its resolution 38/14 of 22 November 1983, proclaimed the 10-year period beginning on 10 December 1984 the Second Decade to Combat Racism and Racial Discrimination. The General Assembly also approved the Programme of Action for the Second Decade annexed to the resolution, and called upon all States to co-operate in its implementation. The General Assembly also requested the Economic and Social Council to take charge, with the help of the Secretary-General, of coordinating the implementation of the Programme of Action and of evaluating the activities undertaken during the Second Decade.

2. The Programme of Action for the Second Decade covers, inter alia: action to combat apartheid; education, teaching and training; dissemination of information and the role of the mass media in combating racism and racial discrimination; measures for the promotion and protection of the human rights of persons belonging to minority groups, indigenous populations and peoples and migrant workers who are subjected to racial discrimination; recourse procedures for victims of racial discrimination; implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and related international instruments; national legislation and institutions; seminars and studies; action by non-governmental organizations; and international cooperation.

3. The General Assembly, by its resolution 39/16 of 23 November 1984, invited the Secretary-General to proceed with the implementation of the plan of activities for the period 1985-1989 for the implementation of the Programme of Action for the Second Decade (see A/39/167-E/1984/33 and Add.1-2).

4. By its resolution 42/47 of 30 November 1987, the General Assembly urgently requested the Secretary-General to ensure the effective and immediate implementation of the activities proposed for the first half of the Decade which had not yet been undertaken, approved the plan of activities proposed for the period 1990-1993 contained in the annex to the resolution, and invited the Secretary-General to proceed with the implementation of the plan.

5. The Commission on Human Rights considers each year the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination; at its forty-seventh session, it adopted resolution 1991/11 of 22 February 1991 on this subject. In that resolution, the Commission invited all Governments and international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid, and to provide relief and assistance to the victims of these evils. It urged all States and international organizations to cooperate with the Secretary-General in the implementation of those activities for the period 1985-1989 not yet undertaken and of the plan of activities for the period 1990-1993. The Commission recalled that it had decided that the topic for consideration for 1992 would be "Treatment of political prisoners and detainees in South Africa, particularly women and children"; it further decided that the topic for 1993 would be "Global survey on the extent of dissemination of the International Convention on the Elimination of All Forms of Racial Discrimination".

6. The Commission took note with satisfaction in that resolution of the report of the Seminar on the political, historical, economic, social and cultural factors contributing to racism, racial discrimination and apartheid, held at Geneva from 10 to 14 December 1990 (E/CN.4/1991/63), and requested the Secretary-General to give it wide distribution among Governments, the competent United Nations organs, the specialized agencies, and other intergovernmental and non-governmental organizations. The Commission also requested the Secretary-General to organize in 1991 a meeting of representatives of national institutions and organizations promoting tolerance and harmony and combating racism and racial discrimination with a view to exchanging experience on the promotion of such objectives. The Commission also recommended that the General Assembly take appropriate steps, in due course, to launch a Third Decade to Combat Racism and Racial Discrimination, to begin in 1993.

7. In the same resolution, the Commission requested the Secretary-General to inform it annually of the progress made in carrying out the plan of activities for the period 1992-1993 so that it could make its contribution thereto. The present report is prepared pursuant to that request.

I. ECONOMIC AND SOCIAL COUNCIL

8. The Economic and Social Council, at its first regular session of 1991, considered the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination; in that connection, it had before it the report of the Secretary-General (E/1991/39). The Council, in its resolution 1991/2 of 29 May 1991, reaffirmed the importance of achieving the objectives of the Second Decade to Combat Racism and Racial Discrimination, noted with appreciation the report of the Secretary-General on the implementation of the Programme of Action requested the Secretary-General to continue with the implementation of the activities for the period 1990-1993, and further requested him to continue to accord the highest priority to measures to combat apartheid. The Secretary-General was also requested to ensure the effective and immediate implementation of the activities proposed for the first half of the Second Decade that had not yet been undertaken.

9. The Council, in that resolution, also invited all Governments to take or continue to take all necessary measures to combat all forms of racism and racial discrimination and to support the work of the Second Decade by making contributions to the Trust Fund for the Programme of the Decade for Action to Combat Racism and Racial Discrimination, in order to ensure further implementation of the activities for the Second Decade.

10. The Council reaffirmed the importance of public information activities in combating racism and racial discrimination and in mobilizing public support for the objectives of the Second Decade, commended the efforts of the Coordinator for the Second Decade to Combat Racism and Racial Discrimination, and reaffirmed the need for continued coordination of the full range of programmes being implemented by the United Nations system as they relate to the objectives of the Second Decade. The Council welcomed the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by the General Assembly and requested

the Secretary-General, in his reports, to continue to pay special attention to the situation of migrant workers and their families. The Council further decided to continue to accord the highest priority each year to the agenda item entitled "Implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination".

II. COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

11. The Committee on the Elimination of Racial Discrimination continued to consider the Second Decade to Combat Racism and Racial Discrimination at its thirty-ninth and fortieth sessions held at Geneva respectively from 4 to 22 March 1991 and from 5 to 23 August 1991. During these sessions, the Committee considered matters relating to the proposed Third Decade to Combat Racism and Racial Discrimination, the World Conference on Human Rights (1993) and draft model legislation against racism and racial discrimination which had been prepared by the Secretary-General. The Committee noted that an important focus of the Second Decade was the implementation of the Convention, which had the largest number of States parties of any United Nations human rights treaty but which was still not universal and it adopted a decision calling on the General Assembly to encourage those States which had not yet done so to become parties to the Convention.

A. Joint meeting with the Sub-Commission on Prevention of Discrimination and Protection of Minorities

12. A joint meeting between the Committee on Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities took place on 19 August 1991 for the purpose of exchanging views on the prevention of racial discrimination and discussing issues of common interest. That meeting also discussed the possibility of a joint contribution by both bodies to the World Conference on Human Rights. The possibility of such a joint meeting had been raised with the Committee and Sub-Commission by the Coordinator for the Second Decade in order to explore ways of improving the effectiveness of United Nations action against racism and racial discrimination.

13. During the joint meeting, it was suggested that, with regard to the World Conference, a permanent mechanism be established for consultation between the two bodies and that joint recommendations should be drafted. Emphasis could be placed on improving the implementation of existing international standards and the strengthening of monitoring bodies.

14. The following items from the agenda of the Sub-Commission were identified for future consultation between the two bodies: measures to combat racism and racial discrimination and the role of the Sub-Commission; adverse consequences for the enjoyment of human rights of political, military, economic and other forms of assistance given to the racist and colonialist regime of South Africa; question of the violation of human rights and fundamental freedoms, including policies of racial discrimination and segregation and of apartheid, in all countries, with particular reference to colonial and other

dependent countries and territories; report of the Sub-Commission under Commission on Human Rights resolution 8 (XXIII); discrimination against indigenous peoples; and the protection of minorities.

15. Members from both bodies emphasized that joint meetings were important steps towards more effective action by the United Nations against racial discrimination and towards better cooperation and coordination of activities of the two human rights organs, whose activities were complementary although their mandates were different. It was decided that the bureaux of the two bodies would remain in contact and make recommendations for future collaboration and each body nominate a member to follow and report to it on the activities of the other body.

B. World Conference on Human Rights

16. During its last two sessions, the Committee on the Elimination of Racial Discrimination gave considerable attention to the World Conference on Human Rights (1993). A number of proposals were advanced during the discussions, including the need to put a specific item on racial discrimination on the agenda of the Conference and to prepare relevant studies; the possibility that the Committee might contribute a paper evaluating the racial discrimination situation at the national and international levels; and the feasibility of preparing a paper on the effectiveness of recourse procedures and mechanisms with special reference to the efforts to eliminate racism and racial discrimination. The recommendations of the Committee were brought to the attention of the first session of the Preparatory Committee and are reflected in the Committee's report to the General Assembly (A/46/18).

C. Third Decade to Combat Racism and Racial Discrimination

17. The Committee also considered the question of a third decade against racial discrimination which had been proposed to the General Assembly. The Coordinator for United Nations decade-related activities had suggested that the Committee might wish to consider suggestions for inclusion in a possible programme of action for a third decade. At its fortieth session, a paper on this subject was discussed; it will be revised in the light of members' comments for consideration at the forty-first session scheduled for March 1992.

D. Model legislation against racism and racial discrimination

18. The Secretary-General, pursuant to a General Assembly request and in connection with the Programme of Action of the Second Decade, prepared model legislation against racism and racial discrimination. The Coordinator for United Nations decade-related activities brought the model legislation to the attention of the Committee on the Elimination of Racial Discrimination to obtain its views in light of the Committee's experience in the area of legislation against racial discrimination. The Committee considered the model legislation at its fortieth session. It was pointed out that more time was required to examine the draft; the Committee agreed that the draft model legislation should be revised in the light of members comments and reconsidered at its next session.

III. SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

19. At its forty-third session (5-30 August 1991), the Sub-Commission on Prevention of Discrimination and Protection of Minorities discussed a number of matters relating to the Second Decade. In its resolution 1991/2 entitled "Measures to combat racism and racial discrimination and the role of the Sub-Commission" of 20 August 1991, the Sub-Commission recommended that the General Assembly take appropriate steps in due course to launch a third decade to combat racism and racial discrimination, to begin in 1993. The Sub-Commission emphasized the obligation of the international community to take urgent measures to eradicate apartheid completely and to combat all other forms of racism and racial discrimination, including those practised against indigenous peoples, migrant workers and other vulnerable groups in society; it confirmed the importance, in the struggle against racism and racial discrimination, of a complementarity of economic, social, educational and information measures at the national level, including legislative, administrative and penal measures, and of measures taken at the international level.

20. The Sub-Commission, in that resolution, recognized the important role it could play in United Nations activities against racial discrimination as well as the need for more effective coordination between the Centre for Human Rights and other organizations of the United Nations system which undertake operational activities for development. The Sub-Commission noted with appreciation the holding of a joint meeting of the Committee on Racial Discrimination and the Sub-Commission during the forty-third session of the Sub-Commission; welcomed the efforts of the Committee to fulfil its mandate; and recognized the importance of activities aimed at directly assisting vulnerable groups to strengthen their participation in national economic, social and political life. It also appealed to all Governments to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

21. The Sub-Commission renewed its request to the Secretary-General to prepare for its next session an overview of current trends of racism, discrimination, intolerance and xenophobia as well as of measures taken by Governments against those phenomena and the effects of such measures, on the basis of replies received from Governments, specialized agencies and other intergovernmental organizations, as well as from non-governmental organizations.

22. Further, the Secretary-General was requested to submit to the Sub-Commission at its next session a report on serious incidents attributable to racism, racial discrimination and xenophobia that take place in any part of the world, including the measures taken by the Governments concerned in response to these incidents. Finally, the Sub-Commission expressed its deep conviction that a special rapporteur of the Sub-Commission should be appointed to update the study on racial discrimination prepared in 1976 by Mr. Hernan Santa Cruz in the light of recent new trends of racism, racial discrimination and xenophobia in many countries of the world.

IV. GENERAL ASSEMBLY

23. At its forty-sixth session, the General Assembly, in connection with its consideration of the agenda item on the implementation of the Programme of Action for the Second Decade, had before it the report originally submitted to the Economic and Social Council at its first regular session of 1991 (E/1991/39). In addition, the General Assembly had before it a note by the Coordinator of the activities of the United Nations for the Second Decade to Combat Racism and Racial Discrimination (A/C.3/46/2).

24. After consideration of the reports of the Secretary-General on the implementation of the Programme of Action for the Second Decade, the General Assembly adopted resolution 46/85 on 16 December 1991. The General Assembly decided that the international community in general and the United Nations in particular should continue to give the highest priority to programmes for combating racism, racial discrimination and apartheid, and to intensify their efforts, during the Second Decade, to provide assistance and relief to the victims of racism and all forms of racial discrimination and apartheid, especially in South Africa and in occupied territories and territories under alien domination. It appealed to all Governments and to international and non-governmental organizations to increase and intensify their activities to combat racism, racial discrimination and apartheid and to provide relief and assistance to the victims of those evils.

25. The General Assembly took note of the reports submitted by the Secretary-General containing information on the activities of Governments, specialized agencies, regional intergovernmental organizations and non-governmental organizations as well as of United Nations organs, to give effect to the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination.

26. It also noted and commended the efforts made to coordinate all the programmes currently under implementation by the United Nations system relating to the objectives of the Decade and encouraged the Coordinator for the Second Decade to Combat Racism and Racial Discrimination to continue his efforts.

27. Furthermore, the General Assembly welcomed the progress made in preparing model legislation for the guidance of Governments in the enactment of further legislation against racial discrimination and requested the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination and to publish and distribute those texts as soon as possible. It also requested the Secretary-General to continue the study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment, and to submit, inter alia, specific recommendations for the implementation of measures to combat the effects of such discrimination.

28. The Assembly also called for the implementation of the activities scheduled for the Second Decade and requested the Secretary-General to ensure

that the necessary and additional resources are included in the programme budget for the biennium 1992-1993 for the implementation of the activities of the Second Decade.

29. The Assembly further considered that voluntary contributions to the Trust Fund for the Programme for the Decade for Action to Combat Racism and Racial Discrimination are indispensable for the implementation of the programme and it strongly appealed to all Governments, organizations and individuals in a position to do so to contribute generously to that Trust Fund.

V. COORDINATING ACTIVITIES OF THE SECOND DECADE

A. Inter-Agency Consultation

30. The General Assembly and other policy-making bodies gave considerable importance to the effective coordination of United Nations activities under the Second Decade as a means of strengthening the effectiveness of activities against discrimination. In this regard, the Coordinator for United Nations activities under the Second Decade convened the First Inter-Agency Consultation on the Second Decade to Combat Racism and Racial Discrimination in May 1990 and, following the recommendations of that meeting, convened the Second Inter-Agency meeting in Geneva on 19 April 1991.

31. In convening that meeting, the Coordinator suggested that the work of each agency be reviewed in the light of four general headings: (a) review of specific activities to combat racial discrimination and in particular apartheid in the period 1991-1993; (b) suggestions of unexplored areas where activities or programmes could be initiated; (c) suggestions for activities which could be carried out jointly in cooperation with the various bodies or Secretariat units; and (d) suggestions for improving coordination and cooperation in the future. Two specific aspects were suggested for close attention: (a) the new and emerging forms of racism, such as against migrant workers, minorities, non-citizens, indigenous peoples, religious groups and each organization's or unit's response; and (b) information and educational activities especially focused on the promotion of tolerance and racial harmony.

32. Subsequent to the Second Inter-Agency meeting, the Coordinator wrote to all agencies and appropriate Secretariat units regarding the programme of the Second Decade, the proposed third decade and the World Conference on Human Rights. With regard to a number of meetings or seminars scheduled under the Second Decade, the Coordinator requested that each agency consider if it could co-sponsor one of those meetings or seminars. With regard to the proposed third decade the Coordinator invited them to begin a common reflection on what the programme of action for the third decade could contain; for example, it could focus attention on the national level and attempt to develop indicators or criteria which could be used to measure progress. Finally, with regard to the World Conference on Human Rights, scheduled to review in 1993 the progress made in promoting and protecting human rights and to set out the path for future activity, the Coordinator noted that the fight against discrimination would be an important part of the Conference's work and invited each agency and office to make its contribution to the preparations for the Conference and to the Conference itself.

B. International Day for the Elimination of Racial Discrimination

33. On the occasion of the International Day for the Elimination of Racial Discrimination, on 21 March 1991, a round-table discussion was organized at the Palais des Nations, Geneva. The round table was moderated by Ms. Rukia Hanna-Hussen, Centre for Human Rights, and included the following panelists: Mr. Agha Shahi, Chairman, Committee on the Elimination of Racial Discrimination; Mr. Noureddine Hached, Permanent Observer of the Organization of African Unity; Mr. E. Houshmand, Representative of the Under-Secretary-General for Human Rights, Coordinator for the Second Decade to Combat Racism and Racial Discrimination; Mr. K. Chamari, International Commission of Jurists, and Mr. Dimza Pityana, Secretary for Human Rights and Peace, World Alliance of the YWCA. The statement read on behalf of the Coordinator by his representative focused on the activities of the United Nations since its establishment aimed at eliminating racism and racial discrimination, and focused in particular on the programme of activities of the Second Decade.

C. Meeting of consultation with non-governmental organizations and anti-apartheid movements

34. A meeting of consultation with non-governmental organizations and anti-apartheid movements organized by the Centre Against Apartheid took place in Geneva on 4 and 5 November 1991. Some 40 national and international organizations were represented along with high-level delegations from two national liberation movements. The purpose of the meeting was to focus on ways and means to address the enormous needs of disadvantaged South Africans in the humanitarian, social, educational and development fields during the transitional period. The Coordinator for the Decade-related activities in his opening statement dealt with the principle of equality and non-discrimination which were at the very heart of United Nations activities in promoting human rights. He reviewed the activities of the Organization designed to promote equality and non-discrimination in general and with regard to apartheid in South Africa.

35. Concerning ways and means to address the future needs of disadvantaged South Africans in the humanitarian, social, educational and development fields, the Coordinator described the United Nations Programme for Advisory Services and Technical Assistance in the Field of Human Rights which can provide various forms of assistance in strengthening national human rights infrastructures and in creating awareness of human rights principles. Under that programme, technical assistance can be provided in the drafting of the human rights elements of new constitutions and in the legal and technical aspects of democratic elections. Help can be provided in the drafting of national legislation and in the training of officials to ensure that national law and practice conforms to international standards. Fellowships for the study of human rights issues can be provided and assistance can be given in the translation into local languages of international standards and their publication. The Centre for Human Rights had received numerous requests for assistance from within South Africa and these were being considered in consultation with the Centre Against Apartheid and ways were being explored in which the United Nations Human Rights Programme would make further

contributions to bringing about a united, non-racial and democratic society in South Africa. It is the Centre's intention to contribute as much as possible to further positive developments, both through a careful scrutiny of the situation from a human rights point of view and by providing assistance to those trying to build a united, non-racial and democratic South Africa.

D. International Symposium on New Forms of Racism

36. An international Symposium on New Forms of Racism took place at the Palais des Nations, Geneva, from 4 to 6 November 1991. Organized by the International Movement Against All Forms of Discrimination and Racism, the Symposium brought together international experts, non-governmental organizations and governmental observers to identify new forms or expressions of racism in different contexts, to indicate their causes and to analyse the consequences. In an opening statement the Coordinator of the Decade drew attention to new expressions of racism, against for example migrant workers, minorities, refugees, asylum seekers, indigenous populations and groups such as gypsies. He pointed to the alarming rise in anti-semitism and the increase in violence as both particularly disturbing. The Coordinator reviewed the work of the United Nations against discrimination including recent studies and seminars and made some suggestions concerning future action nationally and internationally to increase the effectiveness of activities against racism and racial discrimination.

VI. SEMINARS, TRAINING COURSES AND WORKSHOPS

37. The Coordinator, in his capacity as Under-Secretary-General for Human Rights, continues to include issues relating to the elimination of racial discrimination in the programme of the various training courses, workshops and seminars organized by the Centre for Human Rights. For example, the importance of equality and the elimination of racial discrimination was underscored in two national training courses, one in Brazilia and one in Caracas in June 1991, during the African Seminar on International Human Rights Standards and the Administration of Justice (Cairo, June 1991), in the National Workshop on the Implementation of International Human Rights Instruments and Reporting Obligations (Moscow, 26-30 August 1991) and at the International Conference on National Institutions on the Promotion and Protection of Human Rights (Paris, 7-9 October 1991).

A. Seminar on International Human Rights Standards and Constitutional Law for Specialists from South Africa

38. The Centre for Human Rights and the World Council of Churches organized in Geneva, in June 1991, a Seminar on International Human Rights Standards and Constitutional Law for 33 persons from South Africa who were concerned with the development of a new constitutional structure in South Africa; this seminar was organized in consultation with the Centre Against Apartheid. The participants, who took part in their personal capacities, came from a broad spectrum of South African society. Outstanding international experts were invited to present papers and lead the discussions on international human rights norms and how they can be included in constitutional law.

39. The Seminar was open by statements by Mr. Jan Martenson, Coordinator of Decade-Related Activities and Under-Secretary-General for Human Rights, and by Mr. Emilio Castro, General Secretary of the World Council of Churches. Mr. Kéba M'Baye, former Judge of the International Court of Justice and former Chairman of the Commission on Human Rights gave an inaugural lecture on "International Human Rights Standards and Constitutional Law with Special Reference to the Independence of the Judiciary". The following other lectures were given:

- "Constitutional protection of internationally guaranteed economic, social and cultural rights" by Mr. Cornelis Flinterman, Professor of Law, University of Limburg, Alternate Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

- "National institutions for the protection and promotion of human rights: the Ombudsman" by Mr. Arne Fliflet, Parliamentary Ombudsman of Norway

- "Constitutional protection of internationally guaranteed civil and political rights" by Mr. Marc Bossuyt, Professor of International Law, University of Antwerp, Former Chairman of the Commission on Human Rights

- "Constitutional guarantees for human rights including judicial remedies" by Mr. Christian Tomuschat, Member of the International Law Commission, former Member of the Human Rights Committee

- "Constitutional law, equality, non-discrimination and the elimination of all forms of racial discrimination" by Mr. Isi Foighel, Member of the Committee on the Elimination of Racial Discrimination

- "Constitutional protection of the rights guaranteed by the International Labour Code" by Mr. Neville Rubin, Senior Officer, Equality of Rights Branch, International Labour Office

- "Constitutional protection of the rights of the minorities" by Mr. Asbjørn Eide, Member of the Sub-Commission on Prevention of Discrimination and Protection of Minorities

- "Constitutional guarantees for the independence of the judiciary in common law countries" by Ms. Dinah Shelton, Visiting Professor of Law, Stanford University, Professor of Law, Santa Clara University

- "Constitutional protection of the human rights promoted by UNESCO" by Mr. Janusz Symonides, Director, Division of Human Rights and Peace, UNESCO

Ample time was allowed for discussions with regard to each lecture and at the end of the Seminar a general discussion on international human rights standards and constitutional law took place. The participants expressed deep appreciation for the Seminar and often referred to the fact that it was the first discussion of constitutional issues between people from South Africa from such a broad range of different groups.

B. Meeting of experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples

40. The plan of activities for the Second Decade approved by General Assembly resolution 42/47 of 30 November 1987 provides for a meeting of experts to review national experience in the operation of schemes of internal self-government for indigenous populations. That meeting took place at Nuuk, Greenland, from 24 to 28 September 1991 at the invitation of the Home Rule Government of Greenland and the Government of Denmark. Participants from Australia, Canada, Chile, the Gambia, New Zealand, Norway, Papua New Guinea, the Philippines, Union of Soviet Socialists Republics and five indigenous organizations took part. Participants from the host Governments, Denmark and Greenland, also took part. In addition, observers from four Governments, from indigenous peoples and other non-governmental organizations and a representative of the International Labour Office took part. Four resource persons also participated.

41. The agenda for the meeting, which was recommended by the Working Group on Indigenous Populations and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, was:

- Scope and effective exercise of internal autonomy and self-government: (a) fields where autonomy would be effective as a means of strengthening the enjoyment of all human rights; (b) means of assuring popular participation and respect for human rights by autonomous indigenous institutions.

- Fiscal and administrative relations between indigenous Governments and States: (a) models of apportioning responsibility, providing for ongoing consultations and resolving disputes; (b) alternative resources-sharing arrangements, and cooperation in the planning and management of development.

- Effective means of planning for, and implementing autonomy, including negotiated constitutional arrangements and involving both territorial and personal autonomy.

- Recommendations for standards setting.

42. The meeting concluded its consideration by adopting the Nuuk Conclusions and Recommendations on Indigenous Autonomy and Self-Government. This Nuuk document consists of 15 principles dealing with the various aspects and elements of autonomy and self-government, and 9 recommendations to States and the United Nations for action. The meeting, inter alia, recommended that the Commission on Human Rights consider the possibility of establishing international monitoring mechanisms to deal with indigenous peoples. It also requested the ILO and the Centre for Human Rights to prepare a handbook on experiences in self-government of indigenous peoples and invited States to support its publication and distribution by providing adequate resources.

VII. IMPLEMENTATION OF ACTIVITIES UNDER THE SECOND DECADE

43. Since the adoption of the plan of activities for the Second Decade, the Secretary-General has been reporting regularly to the General Assembly, the Economic and Social Council and the Commission on Human Rights on the progress made in implementing the plan of activities of the Second Decade. As reflected in the annual reports submitted to the General Assembly and to the Economic and Social Council, a great number of the activities under the Second Decade have already been executed.

A. Seminars

44. The organization of seminars and consultations are important parts of the overall programme. Such seminars provided forums for experts in the various manifestations and forms of racial discrimination to meet, discuss and highlight issues of importance in the fight against racial discrimination and led to the formulation of recommendations and plans for the continuing fight against racial discrimination. Reference may be made to the following most recent seminars:

- Seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States (E/CN.4/1989/22).

- Seminar on cultural dialogue between the countries of origin and the host countries of migrant workers (E/CN.4/1990/50).

- Seminar on the political, historical, economic, social and cultural factors contributing to racism and racial discrimination and apartheid (E/CN.4/1991/63 and Add.1).

- Meeting of experts to review the experience of countries in the operation of schemes of internal self-government for indigenous peoples (E/CN.4/1992/42).

45. The Commission on Human Rights, in its resolution 1991/11 of 22 February 1991, requested the Secretary-General to organize in 1991 a meeting of representatives of national institutions and organizations promoting tolerance and harmony and combating racism and racial discrimination with a view to exchanging experience on the promotion of such objectives; lack of financial resources prevented the organization of this seminar in 1991, it is the intention of the Secretariat to organize it as soon as possible in 1992 provided the necessary resources are made available.

B. Publications

46. The elimination of racism and racial discrimination is a key element in the overall United Nations human rights programme and a particular effort is made to publish information relating to the subject. In the Human Rights Fact Sheets series, the following have been published in the six official languages: Fact Sheet No. 5, Global Consultation on Racism and Racial Discrimination; Fact Sheet No. 9, The Rights of Indigenous Peoples; Fact Sheet No. 12, The Committee on the Elimination of Racial Discrimination.

47. In the general publications of the Centre, the following have been published: Report of the Seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States (HR/Pub/89/5); Global compilation of national legislation against racial discrimination (HR/Pub/90/8); The First Twenty Years: Progress report of the Committee on the Elimination of Racial Discrimination (HR/Pub/91/..). The Manual on Human Rights Reporting (HR/Pub/91/1) includes chapters on reporting under the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid. Finally, the study on the achievements made and obstacles encountered during the Decades to Combat Racism and Racial Discrimination (E/CN.4/Sub.2/1989/8 and Add.1) prepared by Mr. Eide will be published and distributed on as wide a scale as possible in 1992.

C. Studies

48. The Secretary-General is preparing within the context of the Decade's plan of activities the following studies which will be published in 1992:

- The model legislation for the guidance of Governments in the enactment of further legislation against racism and racial discrimination. A draft text of this legislation was brought to the attention of the Committee on the Elimination of Racial Discrimination during its fortieth session for observation and comments. The Committee will complete its revision of the model legislation during its forty-first session. The final text of the legislation will be subsequently issued in the light of the Committee's comments and suggestions.

- The handbook of recourse procedures available to victims of racism and racial discrimination is being prepared in the light of United Nations seminars held on this subject.

- The study on the effects of racial discrimination on the children of minorities, in particular those of migrant workers, in the field of education, training and employment (A/42/492) will be finalized by submitting specific recommendations for the implementation of measures to combat the effects of that discrimination.

- Technical study on the impact of article 27 of the International Covenant on Civil and Political Rights in providing guarantees of equality to persons belonging to minorities. It is the intention of the Secretariat to publish this study in 1992 after consultations with the pertinent expert bodies.

D. Future activities

49. The General Assembly, in its resolution 42/47, approved the plan of activities for the second half of the Second Decade and invited the Secretary-General to proceed with the implementation of those activities, and to ensure that sufficient additional resources are included in the relevant

programme budgets to provide for the implementation of the activities of the Second Decade. These activities were incorporated into the regular work programme of the Centre for Human Rights, but they were not accompanied by any increase in regular resources. This lack of resources has seriously hampered the Secretariat's ability to implement the various elements in the Second Decade's Programme of Activities.

50. The implementation of the activities of the second half of the Second Decade is of the highest importance; as provided for under General Assembly resolution 42/47, the following activities will be carried out during the remainder of the Decade to the extent that sufficient resources are made available:

- Global study of the extent to which the children of migrant workers are enabled to receive education in their mother tongue;

- Regional workshops on the adoption of legislation to combat racism and racial discrimination;

- Seminar on community relations commissions and their functions;

- Seminar to assess experience gained in the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination;

- Round table of experts to discuss the preparation of teaching materials to combat racism and racial discrimination;

- Issuance in three additional languages of the handbook of recourse procedures available to victims of racism and racial discrimination;

- Two regional workshops on the adoption of legislation to combat racism and racial discrimination;

- International campaign on the main obstacles to the full eradication of racism, racial discrimination and apartheid, and on ways and means of bringing about the early disappearance of these scourges;

- Study on the treatment of political prisoners and detainees in South Africa, particularly women and children;

- Global study on the extent of dissemination of the International Convention on the Elimination of All Forms of Racial Discrimination.

VIII. TRUST FUND FOR THE PROGRAMME FOR THE DECADE FOR ACTION TO COMBAT RACISM AND RACIAL DISCRIMINATION

51. The General Assembly has repeatedly appealed to all Governments, organizations and individuals in a position to do so to contribute generously to the Trust Fund and, to this end, requested the Secretary-General to undertake appropriate contacts and initiatives to encourage contributions.

52. Since the period covered by the last report of the Secretary-General (E/CN.4/1991/43), the following States have contributed to the Trust Fund for the Second Decade: Austria, US$ 5,000; Dominica, US$ 1,993; Japan, US$ 10,000; Malaysia, US$ 500, and Thailand, US$ 1,000. The balance available (as of 30 November 1991) is US$ 34,400.

53. The current status of the Trust Fund continues to be far from encouraging despite the repeated appeals for voluntary contributions made by the General Assembly, the Economic and Social Council and the Secretary-General. Further contributions are urgently needed to provide the much needed supplementary resources required to implement the various activities envisaged in the Programme of Action for the Second Decade. The Secretary-General has just launched an appeal to Governments, non-governmental organizations and to private foundations for contributions to this Fund.